

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

HEATH NORRIS,	)	
	)	
Plaintiff,	)	8:16CV187
	)	
v.	)	
	)	
NEBR. DEPT. OF CORR. SRVCS.,	)	<b>ORDER</b>
OMAHA CORR. CNTR., SCOTT	)	
FRAKES, DR. RANDY KOHL,	)	
BARBARA LEWEIN, CURT WEES,	)	
OMAHA CORR. CNTR. MEDICAL	)	
STAFF, including and all other	)	
unnamed John and Jane Does known	)	
and unknown, D. SMALL, C.	)	
SCHMOKER, DR. KATHLEEN	)	
OGDEN, M. ANTLEY, M.	)	
WESLEY, and JOHN AND JANE	)	
DOES, known and unknown	)	
employees and/or contractors,	)	
	)	
Defendants.	)	
_____	)	

Along with his Complaint (Filing No. [1](#)) and Motion for Leave to Proceed In Forma Pauperis (Filing No. [2](#)), Plaintiff has filed a Motion to Appoint Counsel (Filing No. [4](#)). The court cannot routinely appoint counsel in civil cases. In [Davis v. Scott, 94 F.3d 444, 447 \(8th Cir. 1996\)](#), the Eighth Circuit Court of Appeals explained that “[i]ndigent civil litigants do not have a constitutional or statutory right to appointed counsel. The trial court has broad discretion to decide whether both the plaintiff and the court will benefit from the appointment of counsel[.]” [Id.](#) (internal citation and quotation marks omitted). As the court has not yet conducted an initial review of Plaintiff’s complaint, no such benefit is apparent at this time. Thus, Plaintiff’s request for the appointment of counsel will be denied.

IT IS ORDERED that Plaintiff's Motion to Appoint Counsel (Filing No. [4](#)) is denied.

DATED this 3<sup>rd</sup> day of May, 2016.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge